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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 THE BANK OF NEW YORK MELLON FKA
9 THE BANK OF NEW YORK AS TRUSTEE
10 FOR THE CERTIFICATEHOLDERS CWALT,
11 INC. ALTERNATIVE LOAN TRUST 2005-
3CB MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-3CB,

Case No.: 3:16-cv-00436-RCJ-WGC

ORDER FOR
DISMISSAL WITH PREJUDICE

12 Plaintiff,

13 vs.

14 HIGHLAND RANCH HOMEOWNERS
15 ASSOCIATION; KERN & ASSOCIATES,
LTD; TBR 1, LLC; AIRMOTIVE
16 INVESTMENTS LLC; DOE INDIVIDUALS I-
17 X inclusive, and ROE CORPORATIONS I-X,
inclusive,

18 Defendants.
19

20 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff The Bank of
21 New York Mellon fka The Bank of New York as Trustee for the Certificateholders CWALT,
22 Inc. Alternative Loan Trust 2005-3CB Mortgage Pass Through Certificates, Series 2005-3CB
23 (“BoNYM”) and Defendant Highland Ranch Homeowners Association (“Highland Ranch”),
24 by and through their respective counsel, that all claims as between BoNYM and Highland
25 Ranch shall be dismissed with prejudice.¹

26
27 ¹ The claims asserted by BoNYM against Kern & Associates, Ltd. and against TBR I, LLC were previously
28 dismissed. *See* ECF Nos. 17 and 89. Likewise, the claims by BoNYM against Airmotive Investments LLC were
resolved by the Court’s Order addressing the Parties’ competing motions for summary judgment. *See* ECF No. 116.
As such, this stipulation effectively resolves all remaining claims that are now pending before this Court.

Each party to this stipulation shall bear its own fees and costs.

DATED this 15th day of January, 2021.

DATED this 15th day of January, 2021.

AKERMAN LLP

LAXALT & NOMURA, LTD.

/s/ Nicholas Belay

/s/ Ryan W. Leary

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fka The Bank of New York as Trustee for the
Certificateholders CWALT, Inc., Alternative
Loan Trust 2005-3CB Mortgage Pass-Through
Certificates, Series 2005-3CB*

*Attorneys for Highland Ranch
Homeowners Association*

ORDER

IT IS SO ORDERED:


UNITED STATES DISTRICT COURT JUDGE

DATED: January 21, 2021.